

## REMARKS/ARGUMENTS

The Office Action dated October 2, 2007 has been carefully considered. Claims 1-10 are pending in the present application with claim 1 being in independent form.

Claims 1-3, 6 and 9 have been rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 4,833,661 to Kim in view of U.S. Patent No. 5,323,363 to Hysek et al. Reconsideration of this rejection is respectfully requested.

Claim 1 relates to an analogue display device for a timepiece, including display means arranged to jump relative to a dial having a non-sequential pattern of the values to be displayed, wherein successive values to be displayed on the dial are offset by regular intervals of a certain number of successive positions in the non-sequential pattern of the values to be displayed and wherein the succession of values is indicated by a mechanical control mechanism operable to drive the display means.

In contrast, as has been explained previously, Kim discloses a time piece with a random numbered dial with values distributed around the dial randomly, without any regular interval between successive values to be displayed. That is, in Kim, the values on the dial are arranged in complete disorder and do not correspond to any particular rule. For example, as is shown in Figure 1 of Kim, numerals 1 and 2 are separated by three alternately non-successive positions while numerals 2 and 3 are separated by five successive positions. Thus, the successive values on the dial of Kim are not offset by regular intervals, as is required by claim 1 of the present application, for example.

The Examiner argues that it would have been obvious to modify Kim to have the hour indicia offset by regular intervals of a certain number of successive positions since the claimed location is one of numerous locations a person of ordinary skill in the art would find obvious for providing a random-number dial for a time piece. This is clearly incorrect. As is noted above, the numerals in Kim are provided in complete disorder, thus randomly on the face of the time piece. In contrast, claim 1 of the present application requires that successive values be offset by regular intervals. That is, the successive values are offset in accordance with a set rule. Using a set rule to arrange numbers in a random-number time piece is not and could not be considered obvious since the time piece would no longer be a random number time piece. As is well known, "[I]f proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification." See M.P.E.P. §2143.01 V quoting *In re Gordon*, 733 F.2d 900, 221 USPQ 1125

(Fed. Cir. 1984). Indeed, Applicant respectfully submits that the Kim reference actually teaches away from making the modification suggested by the Examiner since doing so would indeed render the Kim reference unsatisfactory for its intended purpose as a random number clock.

In addition, while the Examiner contends that the claimed positioning of successive numbers is one of several options for a random number time piece, the Examiner has failed to identify a single prior art reference that actually discloses this feature. Thus, the references cited by the Examiner do not disclose all of the features of claim 1, for example, of the present application either alone or in combination.

In addition, Kim fails to disclose that the succession of values is indicated “by a mechanical control mechanism operable to drive the display means”, as is required by claim 1 of the present application. The Examiner argues that Hysek et al. discloses this feature and that it would have been obvious to one of ordinary skill in the art to modify Kim to use the mechanical design of Hysek et al. This is incorrect.

As noted previously, in Kim, each of the hour hand, minute hand and second hand are directly connected to motors M1, M2 and M3, respectively. The motors are independently driven by an electronic circuit. Thus, the watch described in Kim is a purely electronic watch driven by motors. The electronic control in Kim is required to abruptly move the hands to the correct positions to correspond to the digital display sections when desired. That is, the electronic control circuit is necessary to move the hands in Kim to the appropriate positions to correspond to the values on the digital display sections. Thus, the progressive, mechanical drive of Hysek et al. could not be used in Kim. That is, the modification of Kim to include this feature of Hysek et al. would also render the time piece of Kim unsuitable for its intended purpose as well. Thus, it would not have been obvious to modify Kim in light of Hysek et al. as suggested by the Examiner.

Accordingly, it is respectfully submitted that claim 1, and the claims depending therefrom, are patentable over the cited art for at least the reasons described above.

Claim 10 has been rejected as allegedly being unpatentable under 35 U.S.C. §103(a) in light of Kim in view of U.S. Patent No. 5,432,759 to Vaucher. Reconsideration of this rejection is respectfully requested.

Claim 10 depends from claim 2, which, in turn, depends from independent claim 1. As noted above, it is believed that claim 1 is patentable over Kim for at least the reasons noted above. Further, it is respectfully submitted that claim 1 is patentable over Kim and Vaucher

since Kim and Vaucher, either alone or in combination, fail to show or suggest the patentable features of claim 1 described above.

Accordingly, it is respectfully submitted that claim 1, and the claims depending therefrom, including claim 10, are patentable over the cited art for at least the reasons described above.


Applicant appreciates the Examiner's indication that claims 7-8 include patentable subject matter and would be allowable if rewritten in independent form to include all of the limitations of their base claim and any intervening claims. Claims 7 and 8 depend from claim 1. As noted above, it is believed that claim 1 is patentable over the cited art for at least the reasons described above. Thus, it is believed that claims 7 and 8 are patentable over the cited art in their present form.

In light of the remarks and amendments made herein, it is respectfully submitted that claims 1- 10, and the claims depending therefrom, are patentable over the cited art for at least the reasons described above.

Favorable reconsideration of the present application is respectfully requested.

Respectfully submitted,

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